

VIII. NONCONFORMING USES

VIII.1 EXISTING NONCONFORMING USES

Except as herein provided the lawful uses of land existing at the time of adoption or amendment of this ordinance may be continued even though said use does not conform to the provisions of this ordinance. Exemptions shall not extend to signs or billboards or abandoned structures.

VIII.2 ENLARGEMENT OR ALTERATIONS

No enlargement or exterior alteration of a nonconforming use other than regular periodic maintenance, shall take place without planning permission. Once a use is made to conform to the provisions of this ordinance, it may not revert to nonconformance either in part or in whole.

VIII.3 DISCONTINUANCE

If a nonconforming use should be discontinued or unused for a period of twelve months, it shall be deemed ended and may not be resumed.

VIII.4 REPLACEMENT

If a structure or nonconforming use is damaged in excess of 50% of its true market value, as based upon its current assessed value, the following developmental standards shall apply:

1. The damaged structure may be rebuilt to the previous dimensions, with no expansion;
2. The damaged portion would be rebuilt according to the current specifications from the Regional Building Department;
3. There could be no change in use, except that which conforms to the Zoning Ordinance requirement;
4. Existing parking would have to be maintained, no elimination of existing spaces;
5. Any structure of an historical nature will be rebuilt in a style as close to the original as possible as approved by the City Council.

VIII.5 REDEVELOPMENT

The replacement and redevelopment of nonconforming structures and uses is encouraged. The Planning Commission and City Council will review and consider progressive redevelopment proposals and will conditionally approve or deny the proposal based upon its merits, its compatibility with surrounding development, its conformance with the City's General Plan, or lack thereof. Otherwise, replacement and redevelopment shall conform to the new development and construction standards of this ordinance.